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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

Ilisa Saravia, as next friend for A.H., a  
minor, and on behalf of herself individually  
and others similarly situated,

Plaintiff,

v.

Merrick Garland, Attorney General, et al.,

Defendants.

Case No. 3:17-cv-03615-VC

Honorable Vince Chhabria

**[PROPOSED] ORDER APPROVING  
SETTLEMENT AGREEMENT FOR  
FEES AND COSTS UNDER THE  
EQUAL ACCESS TO JUSTICE ACT**

1       Currently pending is Plaintiff's Motion for Approval of the Fees and Costs Settlement  
 2       Regarding EAJA Attorneys' Fees and Costs ("Motion") pursuant to Rule 23(h) of the Federal Rules  
 3       of Civil Procedure. The Court has considered Plaintiff's Motion, supporting papers, and the  
 4       Government's response.

5       The Court makes the following findings:

6       1.       On May 27, 2021, the Parties executed the Fees and Costs Settlement Agreement in  
 7       which Defendants agreed to pay Plaintiff's one million, nine hundred and fifty thousand dollars  
 8       (\$1,950,000.00) in full and complete satisfaction of any claims by Plaintiff for costs, attorney's fees,  
 9       and litigation expenses, including any interest in connection with the case titled *Saravia v. Sessions*,  
 10      *et al.*, No. 3:17-cv-03615-VC, in the United States District Court for the Northern District of  
 11      California. This proposed sum breaks down as follows: costs in the amount of \$31,165.41, which  
 12      are payable pursuant to 28 U.S.C. § 2412(a)(1), and fees and expenses in the amount of  
 13      \$1,918,834.60, which are payable pursuant to the EAJA, 28 U.S.C. § 2412(d).

14       2.       The Parties, through their counsel, and with the assistance of Magistrate Judge Laurel  
 15      Beeler engaged in arms-length settlement negotiations, and reached a Fees and Costs Settlement  
 16      Agreement which is fair, reasonable, adequate, and equitable, and is in both Defendants' and  
 17      Plaintiff's best interests.

18       3.       The Parties are not required to give direct notice of the proposed Fees and Costs  
 19      Settlement Agreement because the class is certified under Rule 23(b)(2) and class members' rights  
 20      will not be prejudiced by this Fees and Costs Agreement. The notice provided to class members  
 21      through the public filing and the postings of the motion for approval and the Fees and Cost  
 22      Settlement Agreement on ACLU's website is sufficient.

23       4.       The Court, having reviewed Plaintiff's Motion, ~~having heard the argument in support~~  
 24      ~~of the Fees and Costs Settlement Agreement~~, having reviewed all of the evidence, objections, and  
 25      other submissions presented with respect to the Agreement and related matters, and the record of  
 26      all proceedings in this case, and having made the necessary foregoing findings, hereby **GRANTS**  
 27      Plaintiff's Motion, approves the Fees and Costs Settlement Agreement, and orders the Parties to

1 comply with the terms and conditions set forth in the Agreement.

2 5. This Order fully resolves the Motion at ECF No. 260.

3 **IT IS SO ORDERED.**

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5 Date: June 7, 2021



6  
7 The Honorable Vince Chhabria  
8 United States District Judge

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